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# The Social Contract: Re-framing Scottish Nationalism<sup>1</sup>

*Jonathan S. Hearn*

## I. INTRODUCTION

I mean, my father saw everything he had worked to build, crumble, and he put it all down to Mrs. Thatcher. But in his time, he saw everything fall apart, and I think that is an absolute tragedy. And he's only typical of all that generation. They came out of the thirties, they came out of poverty, they fought against all the odds, they were wonderful people in the sense of humanity they brought to their lives, with courage and humor, and dedication to a future that they knew would be much better. And they created that, and it certainly was better, and we took it all for granted. My generation thought it would be like a snowball, constantly rolling down the hill, and that it would just get fatter and bigger, and go on to be more wonderful... and we blew it...

These words were spoken to me by a member of the SNP in an interview during the early days of my ethnographic fieldwork on the nationalist movement in Scotland, conducted in 1993-94. At that point in the conversation we were talking about the differences between socialism and capitalism, and what kind of

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society she would prefer to live in. Her words convey a perspective on the Scottish situation that I became quite familiar with during my research, one I came to consider central to understanding nationalist politics in Scotland. She speaks of a hope for a better world that has been betrayed, of a trust broken. The underlying image is one of a great social project that was meant to be passed on from generation to generation, but has been abandoned. And while the speaker takes some of the blame on herself and her generation ("...we blew it..."), it is clear that this broken trust is connected to the rightward political shift of the 1970s and after.

Efforts to make sense of Scottish nationalism have tended to emphasize the complex interaction of two aspects: the role of uneven economic development between Scotland and England (Nairn 1981; Hechter 1977; Dickson 1980); and the unique and well developed institutional infrastructure of Scottish civil society. I am inclined to agree with McCrone (1992:55-87) that economic contrasts between Scotland and England have been over-drawn, losing sight of the fundamental parallels in economic trends throughout the UK (and the industrialized world for that matter). However, I also agree that the deeply entrenched nature of Scottish civil society, particularly in its historical articulation with the development of the welfare state as analyzed by Paterson (1997), is a key factor in the current strength of autonomist politics in Scotland. In fact, as an anthropologist, my primary interest is in social conflicts over

distributive justice, and how culture and political discourse shape people's conceptions of the state and its proper role in social life. It was this basic concern that led me to study Scottish nationalism (or autonomism, the term I use to designate the more general pull toward home rule, whether in the form of a parliament or independence), rather than an interest in nationalism per se.

When doing social analysis it is sometimes useful to set aside the usual frameworks through which a subject has been approached, so that a changed perspective might at least refresh our thinking. This essay attempts to explore the meaning of the themes and imagery in the quote above by re-framing our understanding of the nationalist movement within the idea of the social contract. Politics in Scotland, as elsewhere, is undoubtedly strongly conditioned by the conflicting forces and interests encoded in economic processes and institutional structures. But politics is also waged, and political goals formulated and pursued, through ideas--ideas which are never newly minted for the purpose, but rather are inherited and adapted to present circumstances. The people of Scotland (and the "West" more generally) are the heritors of historically and culturally embedded ideas about politics and how it works, and central among these is the idea of the social contract. I will argue that the social contract is not so much a political theory as a key cultural metaphor, so basic that it is often only implicit in our thinking, that profoundly shapes understandings

of the Scottish situation, and thus in turn the social movement for greater political autonomy.

As a social anthropologist my job is to explore the cultural groundings of social behavior. As a creature of the same "western" tradition of political thought, trying to understand the nationalist movement in Scotland has helped me to view my own heritage as a partial stranger. I hope to repay the favor.

## **II. THE IDEA OF THE SOCIAL CONTRACT**

The notion of a social contract between ruler and ruled reaches back into medieval history, as far back as the 11th century and the Alsatian monk Manegold of Lautenbach's defense of the authority Pope Gregory VII against that of the Emperor Henry IV (Lessnoff 1990:5-6). In Scotland George Buchanan (1506-1582), contributed to this line of thinking by arguing for the election of monarchs by the nobility, and the legitimacy of regicide in the case of tyrannical kings. Nonetheless, as James VI's tutor, his ideas operated within the established genre of political advice to princes, as instructions toward good kingship, rather than as a fundamental challenge to the system of feudal monarchy. The concept took a new form, the one we most closely associate it with today, in the 17th and 18th century writings of Hobbes, Locke, and Rousseau, who sought to provide new bases and justifications for the authority of the sovereign and the power of the state. The upheavals of that period saw a weakening of

political legitimations based on notions of tradition and divine right. The arguments of the classic social contract theorists deployed a more naturalistic (even materialistic) understanding of human wills and motives, and the problems of aggregating them into the collective will of the polity. The details of the various and divergent conceptions of the social contract in this period need not detain us here. The crucial point is that this new emphasis on the consent of the governed helped lay the groundwork for modern conceptions of democratic politics.

In the 19th and 20th centuries social contract theories went out of fashion, displaced by a mixture of pragmatism, utopianism, realpolitik. But since the 1970s the model has been revived in political philosophy, once again in a new form, largely spurred by John Rawls's A Theory of Justice (1971; for introductions to this literature, see Lessnoff 1990 and Sandel 1984). These new formulations of the social contract are notable for their shift away from the basic legitimation of political authority and the state and toward arguments about distributive justice within the modern state, the existence of which, whether maximal or minimal, is now taken for granted. Most of this recent work tries to assume/imagine what kind of political economic regime rational agents would agree to in a context free of coercion. In other words, they begin from basic liberal assumptions about the autonomous rational will of the individual, though not surprisingly, just as liberalism is highly varied along a left-right political spectrum, so are these new formulations. Rawls's

work is very much a justification of the liberal welfare state, which takes an active role in guaranteeing equality of opportunity and basic well being of its citizens. At the opposite end of the spectrum in a neo-Lockean mode, Robert Nozick (1974) defends the idea of a minimal state that primarily aims to preserve property rights, understood as somehow natural or pre-social. Still others have emphasized the idea of the social contract not simply as a way of protecting individual rights and autonomy, but as a necessary context for the formulation of shared conceptions of the common good. Thus, in a somewhat impressionistic manner, Michael Walzer has suggested that:

The social contract is an agreement to reach decisions together about what goods are necessary to our common life, and then to provide those goods for one another. The signers owe one another more than mutual aid, for that they owe or can owe anyone. They owe mutual provision for all those things for the sake of which they have separated themselves from mankind as a whole and joined forces in a particular community (1983:65).

Walzer's characterization of the social contract highlights the centrality of matters of distributive justice within the political community for contemporary discussions. But as one reviews these various notions of the social contract it becomes clear that this is far from one, clearly formulated idea--it is

more a style of argument. Jean Hampton, an authority on Hobbes and social contract theory, has argued, I think rightly, that

...even though theorists who call themselves 'contractarians' have all supposedly begun from the same reflective starting point, namely, what rational people could 'agree to', the many differences and disagreements among them show that although they are supposedly in the same philosophical camp, in fact they are united not by a common philosophical theory but by a common *image*.

Philosophers hate to admit it, but sometimes they work from pictures rather than ideas (1995:379, italics in original).

Hampton's insight here is more than an accusation of theoretical muddle-headedness. The social contract is an "image" or a "picture," because it arises out of a culturally embedded tradition of political thought, rather than being systematically designed, de novo, by philosophers. It is what I would prefer to call an analogy or a key metaphor (cf. Fernandez 1974; Guthrie 1995; Lakoff and Johnson 1980). Anthropologists, long concerned with the role of symbols in the creation and recreation of culture, are quite used to the fuzziness and slippery-ness implied by metaphor, seeing it not as failed philosophy, but rather a part of how belief systems actually work. An important aspect of this process is that symbols, including metaphors, are multivocalic, condensing disparate points of reference into a single image (Turner 1970:29-30). In this way such metaphors are



double-edged, able to both concentrate, integrate, and focus an array of discrete problems and concerns, and at the same time eliding and obscuring important divergences between the various dimensions of social life that have been brought together in the symbolic process. In the rest of this paper I will try to lay out how the metaphor of the social contract does this in the case of Scottish nationalism.

### **III. THE SOCIAL CONTRACT IN SCOTLAND**

Let me outline the historical embeddedness of this metaphor of the social contract in Scotland, before discussing the current sociopolitical problems and relationships in Scotland that get bundled together through this image.

The dominant image of the Covenant in Scottish political history springs first to mind. The National Covenant (1638) and the Solemn League and Covenant (1643) were historically pivotal, establishing a political device and rhetorical trope that would be drawn upon right up to the present century (cf. Brotherstone 1989). From the reaffirmations of the Covenants during the Kirk secessions of the 18th century, to the enduring lore of the Covenanters that runs from the latter 17th century up to the Red Clydesiders, to John MacCormick's Scottish Covenant of the 1940s and 50s, the Covenant theme is strikingly constant. The contexts of these Covenants is highly varied, and more recent ones are bound to earlier ones by rhetorical device, perhaps more than by

common circumstances. Nonetheless, from Greyfriar's Kirkyard to John MacCormick, there are at least some basic continuities that suggest a minimal definition of what is meant sociologically (as opposed to theologically) by a Covenant in all these cases. To wit, Covenants create or reaffirm social bonds of membership in a community, especially when that community is somehow threatened. Moreover, Covenants look in two directions at once--inward toward the community whose solidarity is being reinforced, and outward toward recalcitrant parties that the Covenanters seek to bind into new terms of agreement. The original National Covenant was meant to be signed not only by the faithful of the "true religion" in "ilk shire, balzierie, stewartry, or distinct judicatorie" in Scotland, but most importantly, by Charles I himself.

I would further argue the Covenant should be viewed as the leading member of a broader family of political tropes which should also include the Claims of Right of 1688, 1842, and 1988, the Declaration of Arbroath (1320), and the Democracy Declaration presented at Summit of the European Parliament in Edinburgh in December of 1992. While the image of contract in these cases is not as explicit as in the Covenants, the underlying premises of these political actions assume a kind of contractual situation in which terms of agreement are threatened or have gone awry. The purpose is to make appeals to the justice of higher authorities, whether the medieval Pope, Westminster, the European Parliament, or the democratic sensibilities of the general public. The

specific circumstances of these events vary considerably. The Declaration of Arbroath asks Pope John XXII to bring his limited political authority to bear on a situation of war between separate, sovereign countries, both under the general umbrella of Christendom; the Claim of Right of 1688 was more a matter of establishing the initial terms of agreement under which the Scottish estates would accept being subjects of William and Mary; the Claim of Right of 1842 sought (and failed) to re-negotiate relationships of authority between the General Assembly and the UK Parliament; and the Claim of Right of 1988 and the Democracy Declaration directed their messages to a more diffuse modern public, at the Scottish, British and European levels, in the latter case again targeting a somewhat nominal outside higher authority, this time in the guise of a European Parliament rather than a Pope.

We can acknowledge Hume's classic objection to the social contract idea--that no such contract was ever actually made (Hume 1985[1777]:465-487)--while countering that such political actions of course do not simply follow from contracted agreements, but rather, often seek to create agreements by proceeding in an "as if" fashion. Assuming what one needs to prove is not simply an old trick of academic argument, it is also a time honored strategy of political rhetoric. The absence of an explicit social contract does not alter the fact that political action frequently proceeds as though an implicit trust has been broken. In real social life, a diffuse and undefined trust is often built

up first, with explicit terms of agreement (constitutions and contracts) coming later (cf. Baier 1986). What matters for the present argument is not whether the social contract was ever formally instituted--it was not, and Hobbes, Locke and Rousseau were all well aware of this. Nor does it matter whether the metaphor of a contract is the best we can create as a way of modeling ideal political relations--it is obviously ambiguous and problematic. What matters is, we actually do think and talk as if our social and political relations are contractual, and to an important degree, that makes it so.

Having stressed that the social contract is a metaphor, an ambiguous image, I would argue that theories of nationalism, as with all notions of social causation, also have a powerful if often only implicit metaphorical dimension. The differences in these metaphors guide our thinking along different lines. When we employ a social contract metaphor in our political analyses it directs our attention to processes of negotiation and legitimation. This metaphor tends to err in the direction of over-emphasizing the role of conscious and deliberate human agency in the political process. By the same token, if we believe that there is an important role for human agency in the social process in question, it will help guide our attention toward that dimension of our subject matter. By contrast, theories of nationalism tend to draw on a series of physicalistic metaphors so familiar (especially in political theory since Hobbes) that we often hardly notice them (cf. Lakoff and Johnson

1980). Eric Wolf (1982:6-7) has characterized this as the "billiard ball" approach to social analysis, in which social groups and forces are treated in an atomistic fashion. The cue ball of primordial ethnicity, or relative deprivation, or uneven development, strikes the population in question, sending its nationalist sentiments rolling. (Note that who holds the cue itself is unanswerable within this metaphorical field.) This metaphor requires the assumption of a certain passivity on the part of the social subjects under study. If billiard balls were self-animating, analysing the physics of billiards would be a much more difficult, if not impossible task. I am suggesting that we are unavoidably caught up in metaphorical thought, and that some entertainment of the social contract metaphor can serve as a corrective to the physicalistic metaphors that tend to inform theories of nationalism, and politics more generally. But there is also a deeper issue at stake, involving our basic understanding of the role of ideas and agency in human social life. If politics is something that people do (no matter how limited their understanding of the circumstances in which they act) rather than something that simply happens to them, then the social contract metaphor may have certain fundamental advantages for a social analysis that seeks to be actively engaged in the process it analyzes.

The metaphor of the social contract in modern Scottish politics not only has a rich, concrete history, only sketchily alluded to above, but it also has an array of current reference points, a

set of variations on a theme. Of key importance are these three relationships: labor to capital; citizen to state; and Scotland to England. These dimensions are concretely historically interrelated, and the image of the contract tends to assimilate these tensions to one another in the political imagination.

It has become a commonplace to refer to the historical compromise between capital and labor framed in terms of the ideas of Keynes as a kind of "social contract." Wisdom is not always abstruse, and sometimes the commonplace contains much insight. While the globalization of capital is hardly as recent a process as is often suggested these days, it is readily apparent that changes in technology and capital mobility have weakened the bargaining position of organized labor since the 1960s. The capital-labor contract was a complex product of competition and bargaining by both parliamentary and extra-parliamentary means--of a particular concatenation of strikes and votes delivered and withheld. In turn, this contract was always superimposed upon a more classic conception of the social contract as one between citizens and the state. T. H. Marshall's (1950) conception of the progressive attainment of rights--civil, political, and social--through the state, expresses this idea in abstract form. Ideas such as "Homes fit for Heroes" after World War One in the UK, and the G. I. Bill in the US after World War Two, express the role of the social contract metaphor as a rationale in the legitimation of the state. The citizen serves his country, upholding his end of the bargain, and the state owes him a certain standard of living

in return. (It seems appropriate to preserve the sex bias in the language here both because of the specific subject, and because it reminds us that by and large the benefits of the welfare state have gone to (white, middle class) men.) Correspondingly, the critique of the welfare state from the right has emphasized the problem of ungovernability stemming from the constant expansion of rights and demands on resources from particular constituencies of the citizenry. In this view, the contract has gotten out of hand.

Across the globe the industrialized democracies of the "West" have seen a general breakdown of this double contract between capital and labor, and the state and its citizens. And this breakdown is widely perceived as a result of intractable, natural processes of the world economy and market system, rather than the active decisions of capital interests with strategic advantages seeking to better their competitive positions. Thus we find ourselves in the situation that Habermas (1989) has labeled "the new obscurity," in which the utopian vision of better world based on the mastery of the productive process has waned, to be replaced by a diffuse array of situated struggles, both progressive and reactionary.

But this breakdown is experienced in different ways in different places. In the US, due in part to the strength of anticommunism, there is a relatively weak sense in the popular imagination of the larger social contract as a product of strategic bargaining

by labor, progressively entrenched in legislation. Instead post-war affluence is commonly understood as the natural outcome of superior morality and industriousness--with recent economic stagnation for the middle/working class frequently attributed to a decline in these same factors. Moreover, in common parlance in the US, the meaning of the word "welfare" is restricted to poverty relief, the idea that the other limited entitlements in the US, e.g., social security and Medicare, are forms of welfare, would strike many in the US as strange. In short, US culture is relatively inarticulate when it comes the larger twofold contract between labor and capital, and citizens and the state, lacking the conceptual/metaphorical tools in popular discourse that could render the issues more concrete.

But, as Dickson (1989) has demurred, Scotland *is* "different." According to my analysis, an important part of what makes Scotland different is that the "larger" social contract of the post-war period is encoded through and made more tangible by a third dimension--the contracted unity of Scotland and England in the United Kingdom, and the grounding of this contract in an historical tradition of political conflict. In Scotland, objection to the breakdown of the larger social contract tends to get expressed in terms of autonomist politics. The opposition between capital and labor, between citizens and the state, gets metaphorically mapped onto the opposition between Scotland and England.



This happens for a variety of reasons deeply implicated in what British political scientists have called the North-South divide in the UK. If we regard this divide as simply a question of the divergence of voting behavior, then perhaps it has become passé since the last general election. However, there is an important geography of power that lies deeper than voting behavior. The actual center of political power *is* in England, more specifically southern England, Westminster, and "the City." Both the major political institutions and the decisive weight of the popular vote are located there. Obviously the centralization of power in the British constitution accentuates this. Furthermore, to the extent that the recent weakening of the larger contract is a result of the growing importance of finance capital in relation to industrial capital, London is again a tangible center of this process. The crucial point is that Scotland's history since at least 1609 has been one of complex negotiations, involving both resistance and assimilation, with London/England as the center of political and economic power. As Paterson has shown (1994), current autonomist politics in Scotland is made possible by the fact that Scotland, through its institutions of civil society, has retained a significant degree of bargaining power in the contracted relations between Scotland and England. Moreover, in this century the elites controlling key Scottish institutions have primarily bargained for a better contract within the context of the welfare state--i.e., the "larger contract." Though for much of the last three hundred years a notion of Scottish assimilation to England has been a dominant theme in British

historiography (Beveridge and Turnbull 1989; Fry 1992; Kidd 1993), the underlying reality has not been so simple. The Scotland-England contract is encoded in the long history of Covenants, Claims of Right, and declarations, not to mention the Treaty of Union itself, that figure so prominently in the rhetoric of 20th century autonomist politics. The trust broken between capital and labor, between the welfare state and its citizens, is experienced and articulated as a breakdown in the contract between Scotland and England. In keeping with this, the central values that have underwritten the larger contract--egalitarianism, democracy, socialism or at least a certain version of distributive justice--have tended to become reappropriated as distinctively Scottish values. These are precisely the values that are seen as having been betrayed by capital/the state/England.

So as not to be misunderstood, let me stress that I am not arguing that autonomist politics in Scotland are a result of mystification or "false consciousness" in the form of metaphorical thought. I am arguing that metaphorical predication is an unavoidable aspect of social discourse, especially the political, and that therefore it should be engaged as consciously and wisely as possible. I am suggesting that the metaphor of the social contract provides a deep structure to Scottish politics that can be both helpful and a hindrance. On the one hand, it is important not to let the momentum of political rhetoric collapse the important distinctions on the other side of the contractual

equation. The histories of capitalism, the modern state, and England are closely related, but they are not the same thing. On the other hand, if the contractual metaphor lends a certain concreteness to struggles over the larger contract, reducing Habermas's "new obscurity," then so be it. Moreover, as I suggested above, to the extent that people engage in politics as though it were a process of contractual negotiation, that makes it so. Though huge portions of social life exist as conditions and constraints that are prior to any contractual political process, that does not logically negate the reality and importance of processes of negotiation.

The distinction made above between the social contract metaphor and the more physicalistic metaphors that tend to inform theories of nationalism is crucial, because there are no contracts in nature--they are wholly a human creation.<sup>2</sup> Thus rather than trying to understand human social action through an analogy to natural processes of physical force and cause and effect, the notion of the social contract takes a model from one area of social life--people do make agreements, reach shared understandings of common obligation--and magnifies it to make sense of politics on the largest scale. My point here has something in common with Vico's argument that we can understand history as the maker understands the object made, because it is

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<sup>2</sup> I would note here that despite his skepticism regarding the idea of the social contract, this point is very much in keeping with Hume's idea of justice as a "social artifice," i.e., as a set of conventions inherited through long custom, but without transcendent justification.

our own creation. While undoubtedly a metaphor, with all the slippery-ness that that entails, the social contract construes history as at least partly our own creation, rather than as something done to us by forces beyond our control. Finally, to Vico I would add a touch of Hegel. Politics is not simply a hydraulic transfer of social pressures, that changes objective interests into pragmatic action. It is a quest for recognition, from the empowered by the disempowered, which gets historically inscribed in particular ways. In Scotland, the quests for recognition as workers, as citizens, and as Scots, interact in complex ways that are bound up with the development of the modern state, and that cannot be neatly pulled apart, because once done, history comprises a singular whole. The ramifying social contract metaphor is a way of grappling with this complex interaction through the collective political imagination.

#### **IV. SOME REFLEXIVE CONCLUSIONS**

Anthropologists are notorious for hunting out the "other," usually understood in terms of linguistic and cultural "difference." While there are important differences between Scottish and American culture (bearing in mind the internal diversity of both of these), there are also deep continuities between the two. Through such figures as James Madison, Scottish Enlightenment thought played a profound role in the creation of the United States. Despite these connections, I have had to engage an "other" in my research in Scotland. But the most

problematic "other" that I have had to confront in Scottish ethnography is "nationalism" itself. My upbringing instilled in me a classic liberal/left skepticism about nationalism--it is a strange idea, difficult for me to imagine as a progressive historical force. And yet researching nationalism in Scotland has changed my understanding of this "other." I am sympathetic to the social democratic ethos that surrounds autonomist politics in Scotland, and to the concrete progressive proposals, such as those around balanced gender representation, that inform plans for a prospective parliament. I regard democracy and socialism as core ideals, both interdependent and problematic, that must be constantly built up and reinforced under particular historical circumstances--they cannot be perfected in abstraction first and then executed. To the extent that Scottish autonomism works toward these ideals, towards making these abstractions concrete, I am supportive of it. At the same time, to survive, ideals must be tempered by realism. No matter how egalitarian the general social ethos may be in Scotland, no matter how progressive in design a potential parliament is, the larger political economic context of the world today is profoundly inhospitable for a recuperation of the state's role in redistributive justice.

I would conclude by re-emphasizing the double nature of metaphorical predication. The sense of broken trust that fuels autonomist politics in Scotland is strengthened by the correlations between the various permutations of the modern social contract outlined above. They reinforce one another and

help in the Scottish case to transform the diffuse confusion and sense of helplessness created by the modern political economy, the "new world order," into a concrete political agenda with definable (if limited) goals. But by that same token, there is a danger of forgetting that the metaphor is a metaphor, that the problems unified through metaphorical predication are in reality discrete processes. No matter what adjustments are made in the constitutional relations between Scotland and England, conflicts between citizens over the role of the state in distributive justice are an inherent aspect of modern life, and modern states, especially small ones, have limited control over the global "contract" between capital and labor. We should hope that contending with particular social contracts close to home, particularly the constitutional contract, will help Scots to imagine how to engage in new and larger struggles over the social contract in the world abroad.

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